

Message Text

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ACTION ACDA-19

INFO OCT-01 ARA-16 EUR-25 EA-11 NEA-14 IO-14 ISO-00 AF-10

CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07

PA-04 RSC-01 PRS-01 SP-03 SS-20 USIA-15 SCI-06 AEC-11

AECE-00 ACDE-00 SAJ-01 DRC-01 /203 W

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P R 311755Z MAY 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 2926

INFO USMISSION EC BRUSSELS

USMISSION NATO BRUSSELS

AMEMBASSY TEHRAN

AMCONSUL HONG KONG

AMEMBASSY TOKYO

AMEMBASSY CANBERRA

AMCONSUL CAPETOWN

AMEMBASSY BRASILIA

AMEMBASSY TEL AVIV

AMEMBASSY OTTAWA

AMEMBASSY ROME

AMEMBASSY ROME

AMEMBASSY LONDON

AMEMBASSY BUENOS AIRES

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY TAIPEI

USLO PEKING

USMISSION GENEVA

AMEMBASSY NEW DELHI

AMEMBASSY CAIRO

USMISSION IAEA VIENNA

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E.O. 11652: GDS

TAGS: PARM, TECH, IT, GW, IN

SUBJECT: GERMAN AND ITALIAN NPT RATIFICATION AND INDIAN NPT
NUCLEAR EXPLOSION

REFS: (A) BONN 8226, (B) BONN 8375, (C) BONN 4114

BEGIN SUMMARY: FRG FONOFF POLITICAL DIRECTOR VAN WELL HAS INFORMED THE AMBASSADOR CONCERNING HIS CONVERSATION WITH ITALIAN POLITICAL DIRECTOR DUCCI ON NPT RATIFICATION AND THE INDIAN NUCLEAR TEST. DUCCI'S REMARKS SEEMED TO RELATE NPT SUBMISSION TO ITALIAN PARLIAMENT TO NPT RATIFICATION BY LIBYA AND OTHER MEDITERRANEAN LITTORAL STATES; EVEN ALBANIA WAS MENTIONED. DUCCI VIGOROUSLY ARGUED THAT VERIFICATION AGREEMENT COULD RPT COULD COME INTO FORCE WITHOUT NPT. VAN WELL TOLD AMBASSADOR THAT DUCCI COMMENTS REFLECT SERIOUS HARDENING OF ITALIAN POSITION AND CREATE GENUINELY WORRISOME PROBLEM, PLACING IN QUESTION GERMAN DEPOSIT OF INSTRUMENTS OF NPT RATIFICATION. END SUMMARY

1. FONOFF POLITICAL DIRECTOR VAN WELL HAS BRIEFED THE AMBASSADOR CONCERNING HIS BILATERAL CONVERSATION, ON THE MARGINS OF THE MAY 27-28 POLITICAL COMMITTEE MEETING, WITH ITALIAN POLITICAL DIRECTOR DUCCI. AT THE STRONG PROMPTING OF FRG DISARMAMENT COMMISSIONER ROTH, VAN WELL ASKED DUCCI WHEN ITALY INTENDED TO SUBMIT THE NPT FOR RATIFICATION AND WHEN THE ITALIAN PARLIAMENT COULD BE EXPECTED TO RATIFY THE NPT AND EURATOM/IAEA VERIFICATION AGREEMENT.

2. DUCCI REPLIED BY SAYING THE ITALIANS WERE MAINTAINING THE APPROACH OF PREVIOUS ANDREANI/MEDICI GOVERNMENT, NAMELY, TO SEEK PARLIAMENTARY RATIFICATION OF THE VERIFICATION AGREEMENT BEFORE ANY SUBMISSION OF THE NPT TO PARLIAMENT. DUCCI NOTED THAT THE FOREIGN RELATIONS COMMITTEE OF THE ITALIAN SENATE HAD APPROVED THE VERIFICATION AGREEMENT ; NEXT COMES PLENARY CONSIDERATION.

3. CONTINUING, DUCCI SAID ITALY MUST CONTEMPLATE THE
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NPT IN ITS INTERNATIONAL CONTEXT. IN PARTICULAR, HE NOTED THAT MANY MEDITERRANEAN LITTORAL STATES WERE NOT PARTIES TO THE NPT. IN THIS CONNECTION, HE MENTIONED LIBYA, SPAIN, ALGERIA, EGYPT, ISRAEL, AND EVEN ALBANIA. PLACING PARTICULAR EMPHASIS ON THE FACT THAT LIBYA WAS NOT AN NPT PARTY, DUCCI CONTENDED THAT THIS SITUATION WOULD CREATE "TREMENDOUS DIFFICULTIES" WITH THE ITALIAN PARLIAMENT SHOULD THE GOVERNMENT SUBMIT THE

NPT FOR RATIFICATION. DUCCI ADDED THAT THE SITUATION WOULD BE COMPLICATED BY THE RECENT INDIAN NUCLEAR EXPLOSION AND BY THE LACK OF SOVIET PROTEST TO NEW DELHI.

4. VAN WELL SAID THE ABOVE ITALIAN ATTITUDE WOULD CREATE GREAT DIFFICULTY FOR BONN BECAUSE THE GERMAN GOVERNMENT HAD TOLD ITS PARLIAMENT THAT THE NPT AND VERIFICATION AGREEMENT MUST BE TREATED AND RATIFIED TOGETHER. THEN FOREIGN MINISTER SCHEEL HAD ASSERTED THAT THIS WAS A GOOD AND RESPONSIBLE POLICY AND THE BUNDESTAG AND BUNDESRAT HAD ENDORSED IT. VAN WELL NOTED THAT THE VERIFICATION AGREEMENT HAD BEEN ENDORSED UNANIMOUSLY BY BOTH HOUSES AND THAT THE NPT HAD BEEN RATIFIED BY A VERY SUBSTANTIAL MAJORITY, INCLUDING A LARGE PORTION OF THE CDU/CSU OPPOSITION. HOWEVER, RECALLED VAN WELL,

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CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03 NSAE-00 NSC-07

PA-04 RSC-01 PRS-01 SP-03 SS-20 USIA-15 SCI-06 AEC-11

AECE-00 ACDE-00 SAJ-01 DRC-01 /203 W

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P R 311755Z MAY 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC PRIORITY 2927

INFO USMISSION EC BRUSSELS

USMISSION NATO BRUSSELS

AMEMBASSY TEHRAN

AMCONSUL HONG KONG

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THE FRG HAD TOLD ITS PARLIAMENT THAT IT WAS PROCEEDING TO RATIFICATION ONLY TOGETHER WITH ITS OTHER SEVEN EC PARTNERS (NOT FRANCE) AND THAT THE TWO AGREEMENTS WOULD HAVE TO COME INTO FORCE IN THESE EC STATES SIMULTANEOUSLY.

5. DUCCI AFFECTED NOT TO UNDERSTAND WHY THIS MUST BE SO. HE INSISTED THAT THE VERIFICATION AGREEMENT SHOULD STAND ON ITS OWN AND THAT THERE WAS NO LEGAL PROVISION WHATEVER CONNECTING THE TIME IN WHICH THE TWO MUST COME INTO FORCE. MOREOVER, DUCCI DID NOT THINK THAT THERE HAD BEEN ANY U.S. INDICATION THAT DELIVERY OF AMERICAN FISSIONABLE MATERIAL WOULD BE AFFECTED BY DELAY IN THE RATIFICATION OF THE NPT. HE UNDERSTOOD THAT THE AMERICAN DELIVERY OF FISSIONABLE MATERIALS DEPENDED UPON THE VERIFICATION AGREEMENT COMING INTO FORCE, WHICH DID NOT IN THE ITALIAN VIEW REQUIRE RATIFICATION OF THE NPT. DUCCI OBSERVED THAT THE U.S. CONTINUED TO SUPPLY FISSIONABLE MATERIALS TO STATES WHICH WERE NOT PARTIES TO THE NPT.

6. VAN WELL THEN REFERRED TO THE 197705 REVIEW CONFERENCE, ENCOURAGING ITALY TO RATIFY THE NPT AND VERIFICATION AGREEMENT IN TIME TO PARTICIPATE. DUCCI REACTED WITH SCORN, COUNTERING THAT NPT REVIEW CONFERENCE "WOULD NOT AMOUNT TO ANYTHING, ANYWAY." DUCCI ARGUED THAT THE SOVIETS WILL SIMPLY MAKE NEW PROPOSALS AND DEMANDS THAT WILL MAKE THE SITUATION EVEN MORE DIFFICULT.

7. VAN WELL REPEATED THAT HE WAS QUITE UPSET BY THE

ABOVE ITALIAN POSITION. HE AGAIN EMPHASIZED THE GERMAN POSITION THAT THE NPT AND VERIFICATION AGREEMENT COULD ONLY COME INTO FORCE SIMULTANEOUSLY AND ONCE THE EC MEMBER STATES (EXCEPT FRANCE) HAD RATIFIED BOTH INSTRUMENTS. HE CONTENDED THAT THIS WAS NOT ONLY LONG STANDING POLICY AND, FRG ENGAGEMENT WITH THE BUNDESTAG, BUT ALSO REPRESENTED SOUND AND PRUDENT POLICY IN THE FACE OF THE DANGERS OF NUCLEAR PROLIFERATION. HE WORRIED ALOUD TO DUCCI ABOUT RECENT INDIANUCLEAR EXPLOSION, REFERRED TO THE BACKGROUND GUIDANCE SENT TO FRG EMBASSIES THROUGHOUT THE WORLD EXPRESSING REGRET CONCERNING THE SECRET

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INDIAN NUCLEAR TEST AND URGED ITALY TO FOLLOW A CONSTRUCTIVE COURSE. HE SAID ITALIAN FAILURE TO RATIFY THE NPT COULD CALL INTO QUESTION DEPOSIT OF THE GERMAN INSTRUMENT OF RATIFICATION AS WELL. DUCCI REJOINDERED BY INSISTING AGAIN THAT THERE WAS NO CONNECTION TO BRINGING INTO FORCE OF THE NPT AND VERIFICATION AGREEMENT. HE SAID ITALY HAD NOT DECIDED WHAT TO DO ABOUT SUBMITTING THE NPT TO PARLIAMENT BUT INDICATED THAT SUCH AN ACTION WOULD NOT COME SOON.

8. IN COMMENTING TO THE AMBASSADOR, VAN WELL SAID HE WAS GENUINELY WORRIED BY THE HARDENING OF THE ITALIAN POSITION ON NPT RATIFICATION AS WELL AS THE IMPLICATIONS THEREOF FOR NUCLEAR NON-PROLIFERATION POLICY IN GENERAL AND THE QUESTION OF GERMAN DEPOSIT OF RATIFICATION INSTRUMENT IN PARTICULAR. HE SAID THE GERMAN POSITION REMAINED THAT THE TWO TREATIES WERE CONNECTED AND WOULD HAVE TO BE BROUGHT INTO FORCE TOGETHER.

9. IN A SEPARATE CONVERSATION WITH EMBOFF, FONOFF GENERAL DISARMAMENT DIRECTOR ANDREAE REMARKED THAT DUCCI'S POSITION REPRESENTED A SUBSTANTIAL HARDENING OF ROME'S PREVIOUS "SHILLY-SHALLY COURSE." FOR THE FIRST TIME, THERE WAS THE HINT THAT ITALY MIGHT TRY TO AVOID SUBMISSION OF THE NPT TO THEIR PARLIAMENT. ANDREAE SAID HE TENDED TO CREDIT DUCCI WITH ACCURATELY REPORTING THE NEGATIVE SENTIMENT IN THE ITALIAN PARLIAMENT ON THE NPT QUESTION. HE ACKNOWLEDGED THAT, IF THE ITALIAN PARLIAMENT WAS DETERMINED TO REJECT THE NPT, THEN THERE WOULD BE NO POINT IN THE ITALIAN GOVERNMENT SUBMITTING IT. ON THE OTHER HAND, AS ROTH TOLD EMBOFF LAST WEEK (BONN 8226), THE GERMANS HAVE NO WISH TO BE PLACED IN VIOLATION OF NPT ARTICLE III DUE TO ITALIAN "PROCRASTINATION OR OBSTRUCTIONISM."

10. GIVEN THE ABOVE SITUATION, ANDREAE SAID THE FONOFF WORKING LEVEL IS AGAIN REVIEWING THE LEGAL SITUATION

TO SEE WHETHER THERE IS ANY POSSIBILITY OF SEPARATING
THE PROCEDURES FOR THE COMING INTO FORCE OF THE NPT
AND VERIFICATION AGREEMENT. ANDREAE SAID HE UNDER-

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P R 311755Z MAY 74

FM AMEMBASSY BONN

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AMEMBASSY TEHRAN

AMCONSUL HONG KONG

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STOOD THAT IAEA LEGAL AUTHORITIES MIGHT NOT BE PREPARED TO ACCEPT NOTIFICATION THAT THE VERIFICATION AGREEMENT HAD COME INTO FORCE WITHOUT ADDITIONAL NOTIFICATION THAT THE NPT HAD BEEN RATIFIED. MOREOVER, AS VAN WELL HAD INDICATED, DOMESTIC POLITICAL PROBLEMS COULD ENSUE IN GERMANY IN VIEW OF THE STATEMENTS GIVEN .TO PARLIAMENT THAT THE TWO INSTRUMENTS WOULD COME INTO FORCE SIMULTANEOUSLY IN THE EC MEMBER STATES.

11. COMMENT: THE GERMANS ARE IN A STEW OVER WHAT TO DO NEXT, AND THEY KNOW IT. THE U.S. ATTITUDES ON THE ISSUES REPORTED ABOVE, AS WELL AS ON WHAT TO DO IF ANYTHING WITH ITALY, WILL BE OF CONSIDERABLE INTEREST TO BONN. IT SHOULD BE NOTED THAT THE CONVERSATION WITH DUCCI SEEMED FINALLY TO HAVE TRIGGERED THE INTEREST AND ENGAGED THE SERIOUS ATTENTION OF VAN WELL IN WHAT SO FAR HAD BEEN CONSIDERED AT THE SENIOR FONOFF POLICY LEVEL TO BE A RATHER TECHNICAL OR LEGAL ISSUE. WE CAN IMAGINE THAT THE GERMANS WILL BE INQUIRING CONCERNING U.S. VIEWS ON THIS ISSUE WHEN THEY APPROACH THE DEPT AND LONDON ON REACTIONS TO THE INDIAN NUCLEAR EXPLOSION.
HILLENBRAND

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30 JUN 2005

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